

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

1100 NEW YORK AVENUE, N.W. • WASHINGTON, D.C. 20005-3934

PHONE: (202) 371-2600 • FACSIMILE: (202) 371-2540 • www.skgf.com

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3772 U.S.  
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ROBERT GREENE STERNE  
EDWARD J. KESSLER  
JORGE A. GOLDSTEIN  
SAMUEL L. FOX\*\*\*  
DAVID K.S. CORNWELL  
ROBERT W. ESMOND  
TRACY-GENE G. DURKIN  
MICHELE A. CIMBALA  
MICHAEL B. RAY  
ROBERT E. SOKOHL  
ERIC K. STEFFE  
MICHAEL O. LEE  
STEVEN R. LUDWIG

JOHN M. COVERT\*  
LINDA E. ALCORN  
ROBERT C. MILLONIG  
MICHAEL V. MESSINGER  
JUDITH U. KIM  
TIMOTHY J. SHEA, JR.  
DONALD R. MCPHAIL  
PATRICK E. GARRETT  
STEPHEN G. WHITESIDE  
JEFFREY T. HELVEY\*  
HEIDI L. KRAUS  
JEFFREY R. KURIN  
RAYMOND MILLIEN

PATRICK D. O'BRIEN  
LAWRENCE B. BUGAISKY  
CRYSTAL D. SAYLES  
EDWARD W. YEE  
ALBERT L. FERRO\*  
DONALD R. BANOWIT  
PETER A. JACKMAN  
MOLLY A. MCCALL  
TERESA U. MEDLER  
JEFFREY S. WEAVER  
KRISTIN K. VIDOVICH  
KENDRICK P. PATTERSON  
DONALD J. FEATHERSTONE

GRANT E. REED  
VINCENT L. CAPUANO  
JOHN A. HARROUN\*  
ALBERT J. FASULO II\*  
W. BRIAN EDGE\*  
ELDORA ELLISON FLOYD\*  
W. RUSSELL SWINDELL  
THOMAS C. FIALA  
LONNY L. MULLER\*  
BRIAN J. DEL BUONO\*  
VIRGIL L. BEASTON\*  
RYAN J. STAMPER\*

KAREN R. MARKOWICZ\*\*  
SUZANNE E. ZISKA\*\*  
ANDREA J. KAMAGE\*\*  
NANCY J. LEITH\*\*  
ELIZABETH J. HAANES\*\*  
MARK P. TERRY\*\*

\*BAR OTHER THAN D.C.  
\*\*REGISTERED PATENT AGENT  
\*\*\*SENIOR COUNSEL

April 18, 2001

WRITER'S DIRECT NUMBER:

(202) 371-2630

INTERNET ADDRESS:

bchalkerskgf.com

Commissioner for Patents  
Washington, D.C. 20231

**Box Patent Application**

Re: U.S. Non-Provisional Utility Patent Application under 37 C.F.R. § 1.53(b)  
Appl. No. (to be assigned); filed (herewith)  
For: **Substituted 1,4-Thiazepine and Analogs as Activators of Caspases and Inducers of Apoptosis and the Use Thereof**  
Inventors: Drewe *et al.*  
Our Ref: 1735.0450001/RWE/BEC

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Utility Patent Application Transmittal (Form PTO/SB/05);
2. U.S. Utility Patent Application entitled:

Substituted 1,4-Thiazepine and Analogs as Activators of Caspases and Inducers of Apoptosis and the Use Thereof

and naming as inventors:

John A. Drewe  
Sui Xiong Cai  
Emma Jane Shelton  
Joane Litvak

09/18/01 "04/18/01"

Commissioner for Patents

April 18, 2001

Page 2

David Sperandio  
Jeffrey R. Spencer

the application comprising:

- a. specification containing:
  - i. 93 pages of description prior to the claims;
  - ii. 68 pages of claims (claims 1- 93); and
  - iii. a one-page abstract; and
- b. an Application Data Sheet (37 C.F.R. § 1.76);
3. Authorization To Treat A Reply As Incorporating An Extension Of Time Under 37 C.F.R. § 1.136(a)(3) (in duplicate); and
4. Two (2) return postcards.

Correspondence should be sent to Customer Number 26111.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible.

This patent application is being submitted under 37 C.F.R. § 1.53(b) without Declaration and without filing fee.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

*Bruce E. Chalker*

Bruce E. Chalker  
Agent for Applicants  
Registration No. 47,480

BEC/dab

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Enclosures

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Please type a sign (+) inside this box.

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR § 1.53(h))

Attorney Docket No.	1735.0450001/RWE/BEC
First Inventor	John A. Drewe et al.
Title	Substituted 1,4-Thiazepine and Analogs as Activators of Caspases and Inducers of Apoptosis and the Use Thereof
Express Mail Label No.	

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

## ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☐ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 162]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☐ Drawing(s) (35 U.S.C. 113) [Total Sheets     ]
5. Oath or Declaration [Total Pages     ]
  - a. ☐ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR §§ 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76.

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Appendix
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Authorization under 37 C.F.R. § 1.136(a)(3)  
☐ Other: The name of the assignee is:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-Part (CIP) of prior application No:      /       
Prior application information: Examiner      Group/Art Unit:     

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

Customer No. 26111

or ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

NAME	STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.			
	Attorneys at Law			
ADDRESS				
CITY		STATE		ZIP CODE
COUNTRY		TELEPHONE		FAX

NAME (Print/Type)	Bruce E. Chalker	Registration No. (Attorney/Agent)	47,480
SIGNATURE	<u>Bruce E. Chalker</u>	Date	04/18/2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Drewe *et al.*

Appl. No. (To be assigned)

Filed: (herewith)

For: **Substituted 1,4-Thiazepine and  
Analogues as Activators of Caspases  
and Inducers of Apoptosis and the  
Use Thereof**

Confirmation No.

Art Unit: (To be assigned)

Examiner: (To be assigned)

Atty. Docket: 1735.0450001/RWE/BEC



**Authorization To Treat A Reply As Incorporating An Extension Of  
Time Under 37 C.F.R. § 1.136(a)(3)**

Commissioner for Patents  
**Box Patent Application**  
Washington, D.C. 20231

Sir:

The U.S. Patent and Trademark Office is hereby authorized to treat any concurrent or future reply that requires a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. The U.S. Patent and Trademark Office is hereby authorized to charge all required extension of time fees to our Deposit Account No. 19-0036, if such fees are not otherwise provided for in such reply. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Bruce E. Chalker  
Agent for Applicants  
Registration No. 47,480

Date: April 18, 2001

1100 New York Avenue, N.W.  
Suite 600  
Washington, D.C. 20005-3934  
(202) 371-2600